

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JAMES R. WILSON,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>JO ANNE B. BARNHART</b>	:	
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	:	<b>No. 05-0524</b>
<b>Defendant.</b>	:	

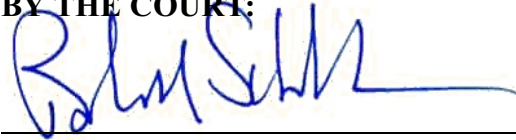
**ORDER**

**AND NOW**, this 9<sup>th</sup> day of **January, 2006**, upon consideration of the parties' cross-motions for summary judgment, the Amended Report and Recommendation issued by United States Magistrate Judge Linda K. Caracappa, Defendant's Objections to the Report and Recommendation (Document No. 14), Plaintiff's Response to Defendant's Objections (Document No. 15) and Defendant's Objections to the Amended Report and Recommendation (Document No. 19), it is hereby **ORDERED** that:

1. Defendant's objections to the Amended Report and Recommendation are **OVERRULED**.
2. The Parties' Cross-Motions for Summary Judgement (Document Nos. 10 & 11) are **DENIED**.
3. The Amended Report and Recommendation is **APPROVED and ADOPTED**.

4. This matter is **REMANDED** in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Commissioner of the Social Security Administration for proceedings consistent with the Amended Report and Recommendation of United States Magistrate Judge Linda K. Caracappa.

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "Berle M. Schiller", written over a horizontal line.

**Berle M. Schiller, J.**